

Regular Session, 2009

HOUSE BILL NO. 136

BY REPRESENTATIVE GUINN

COURTS/COURT COSTS: Increases court costs in criminal cases for the 31st JDC

1 AN ACT

2 To enact R.S. 13:1000.7, relative to court costs in the Thirty-First Judicial District Court; to
3 provide for additional court costs in criminal matters; to provide for use of the fund;
4 to provide for a contingent effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:1000.7 is hereby enacted to read as follows:

7 §1000.7. Criminal matters; Thirty-First Judicial District Court; additional costs

8 A. In all criminal cases, including traffic offenses, of which the Thirty-First
9 Judicial District Court has jurisdiction, there shall be assessed as additional costs
10 against every defendant who is convicted after trial or who pleads guilty or forfeits
11 bond, a sum not to exceed ten dollars. These costs shall be in addition to all other
12 finances, costs, or forfeitures lawfully imposed and shall be transmitted to the sheriff of
13 Jefferson Davis Parish for further disposition in accordance with the provisions of
14 this Section.

15 B. The sheriff shall place all sums collected or received under this Section
16 into an account and remit the sum monthly into the operational fund of the coroner's
17 office of Jefferson Davis Parish. The coroner shall cause to be conducted annually
18 an audit of the account and the books and accounts relating thereto and shall file the
19 audit with the office of the legislative auditor where it shall be available for public
20 inspection.

1 Section 2. Notwithstanding any other law to the contrary, the Judicial Council of the
2 Supreme Court of Louisiana shall review and conduct an evaluation of any proposed fee
3 increase in Section 1 of this Act. After review and recommendation, if the Judicial Council
4 agrees that a fee increase is necessary and reasonable, the jurisdiction listed in Section 1
5 shall have authority to implement a fee increase. This Act and the fee increase shall take
6 effect and become operative on October 1, 2009, only if the Judicial Council of the Supreme
7 Court of Louisiana has provided publication of notice in the Louisiana Register by
8 September 15, 2009, giving notice of a favorable review by the council approving the costs
9 increase provided for in House Bill No. 136 of the 2009 Regular Session of the Legislature
10 of Louisiana as required by the provisions of R.S. 13:62. If the Judicial Council finds, after
11 review and recommendation, that a fee increase is not necessary, the jurisdiction listed in
12 Section 1 shall not have authority to implement a fee increase and the bill shall be null and
13 void and have no effect.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Guinn

HB No. 136

Abstract: Provides for an additional fee not to exceed \$10 to be collected in all criminal cases, including traffic cases, in the 31st JDC (Jefferson Davis Parish) to fund the operations of the coroner's office.

Proposed law requires that in all criminal cases, including traffic offenses, of which the 31st JDC has jurisdiction, there shall be assessed as additional costs against every defendant who is convicted after trial or who pleads guilty or forfeits bond, a sum not to exceed \$10. These costs shall be in addition to all other fines, costs, or forfeitures lawfully imposed and shall be transmitted to the sheriff of Jefferson Davis Parish for further disposition in accordance with the provisions of proposed law.

Proposed law requires the sheriff to place all sums collected or received into an account and to remit the sum monthly into the operational fund of the coroner's office of Jefferson Davis Parish.

Proposed law requires the coroner to cause to be conducted annually an audit of the account and the books and accounts relating thereto and shall file the audit with the office of the legislative auditor where it shall be available for public inspection.

Proposed law provides for an evaluation of the fee increase by the Judicial Council and if approved by the council, the proposed law and the fee increase become effective on October 1, 2009, provided that the council publishes notice of approval in the Louisiana Register by

Sept. 15, 2009. Provides that proposed law shall be null and void and have no effect, if the council finds that the fee increase is not necessary.

(Adds R.S. 13:1000.7)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Specifies that the proposed fee shall not exceed \$10.
2. Provides that the fee increase shall become effective Oct. 1, 2009, subject to approval by the Judicial Council and publication in the Louisiana Register by Sept. 15, 2009.
3. Provides that proposed law shall be null and void and have no effect, if the council finds that the fee increase is not necessary.